

CITY COUNCIL

CITY COUNCIL CHAMBERS, CITY HALL

137 ROOSEVELT AVENUE, PAWTUCKET, RI

WEDNESDAY, MARCH 7, 2012

7:00 PM

PRE-COUNCIL AGENDA

**5:30 PM – CLAIMS COMMITTEE - A PORTION OF THE MEETING MAY
BE HELD IN**

**EXECUTIVE SESSION Pursuant to Section 42-46-4 & Section 42-46-5
(A)(2) of**

the General Laws of Rhode Island regarding pending litigation.

6:15 PM – ORDINANCE COMMITTEE

6:45 PM – PUBLIC INPUT PERIOD

6:45 PM – BOARD OF LICENSE COMMISSIONERS

7:00 PM – CITY COUNCIL

DOCKET

CONVENED_____PM

Previous Minutes 02/22/2012

1. *CONSENT AGENDA *Denotes all items on Consent Agenda

2. *CORRESPONDENCE

A. Communication from Rhode Island Department of Transportation to the Pawtucket City Council (Pawtucket Bridge #550 Updates for February 19-25, 2012 and February 26 – March 3, 2012)

B. Communication from Michael P. Davolio, AICP, Director, Planning & Redevelopment. (Resident Notice regarding Ten Mile River Bikeway Meeting at Potter Burns School on March 5, 2012 at 6:00 p.m.)

C. Communication from Cheryl A. Fernstrom, CMC, Jamestown Town Clerk, to the Pawtucket City Council. (Resolution in Support of Amendment to RIGL §17-11-1 Increasing the Number of Voters at a Polling Place)

D. Communication from Andrea M. Bicki, City Clerk, Woonsocket, to the RI City and Town Councils. (Resolution Opposing 2012 H-7250 Pertaining to School Teacher Contract Continuation and Resolution in Support of Legislation Authorizing the School Committees of the

Cities and Towns to utilize Bus Monitors at their Discretion)

E. Communication from Farietta and Sanchez LLC, to David P. Moran, President, Pawtucket City Council. (Revaluation of McDevitt Building)

F. Communication from Lance Hill, PE, Director of Public Works, to the Pawtucket City Council. (Response - 550 Bridge – Request for URI Student Engineering Study)

G. Communication from Frank J. Milos, Jr., Esq., City Solicitor, to Councilor Thomas E. Hodge (Response – School Department Collective Bargaining Negotiations)

H. Communication from Frank J. Milos, Jr., Esq., City Solicitor, to Councilor Christopher O'Neill. (Response - Outside Legal Costs, Labor – 2010 vs. 2011)

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I. Communication from Jeffrey K. Gale, Tobacco Control Program Coordinator, International Institute Rhode Island, to Richard J. Goldstein, MMC, City Clerk. (Requesting an Ordinance to License Retailers and to have Tobacco Products moved to a place where there is no Physical or Visual Access to those under 18) TO BE REFERRED TO THE SUBSTANCE ABUSE/DARE FUND COMMITTEE.

J. Communication from Roger C. Ross, representing the Estate of Richard Viens, Paul Viens, Executor, to the Pawtucket City Council. (Request to convey AP 3, Lot 561 to the City of Pawtucket to be added to the terminus of Ames Street) TO BE REFERRED TO THE CITY PROPERTY COMMITTEE.

K. Communication from Frank J. Milos, Jr., Esq., City Solicitor, to the Honorable Members of the Pawtucket City Council. (Submitting a Proposed Lease and Operation Agreement for the Transfer Station at 240 Grotto Avenue with WHM Holdings, LLC) TO BE REFERRED TO THE CITY PROPERTY AND THE FINANCE COMMITTEES.

L. Communication from Frank J. Milos, Jr., Esq., City Solicitor, to the Honorable Members of the Pawtucket City Council. (Submitting a Proposed Agreement to transfer ownership of Certain Combine Sewer Overflows to the Narragansett Bay Commission) TO BE REFERRED TO THE PUBLIC WORKS/CEMETERY AND CITY PROPERTY COMMITTEES.

M. Communication from Carol Aissis Jackson, to the Honorable Members of the Pawtucket City Council. (Requesting Permission to Tie Into the Pawtucket Sewer System for the Property Located at 70 Brook Street, Seekonk, MA) TO BE REFERRED TO THE PUBLIC WORKS/CEMETERY COMMITTEE.

3. THE PUBLIC HEARING AND PETITION FOR LICENSE WERE CONTINUED AT THE MEETING HELD FEBRUARY 22, 2012, AND ARE AGAIN TAKEN UP:

Petition for Game Room by Dave Sabatini d/b/a Sabs Game Room, 502 Armistice Boulevard, Tax Assessors Plat 18 Lot 855, LIC#7882

4. THE FINANCE COMMITTEE SUBMITS THE FOLLOWING REQUEST WITH THE RECOMMENDATION TO BE DENIED:

Communication from Kenneth A. Nulman, to Council President David P. Moran, requesting relief of interest charges on delinquent property taxes for 30 Beecher Street, AP45 L444 & 445)

ROLL CALL AYES_____ NOES_____

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**5. RESOLUTION ACCEPTING THE CARE OF BURIAL LOT OF
NATALIA J. ZEFERINO.**

ROLL CALL AYES_____ NOES_____

**6. RESOLUTION ACCEPTING THE CARE OF BURIAL LOT OF
ARMINDA DALOMBA**

ROLL CALL AYES_____ NOES_____

7. THE PUBLIC WORKS/CEMETERY COMMITTEE SUBMITS THE FOLLOWING RESOLUTION WITH THE RECOMMENDATION FOR APPROVAL:

RESOLUTION CONVEYING TWO BURIAL LOTS IN OAK GROVE CEMETERY FROM PAULINE BUTTIE BACK TO THE CITY OF PAWTUCKET (Section EE, Lots 328 & 329)

ROLL CALL AYES_____ NOES_____

8. Communication from Richard J. Goldstein, MMC, City Clerk, to the Honorable Members of the Pawtucket City Council. (Response to Questions Regarding the Pawtucket Housing Authority Legislation)

9. THE FOLLOWING RESOLUTION WAS LAID ON THE TABLE AT THE MEETINGS HELD ON FEBRUARY 8, 2012 AND FEBRUARY 22, 2012, AND IS AGAIN TAKEN UP:

RESOLUTION IN SUPPORT OF LEGISLATION TO INCREASE THE MEMBERSHIP OF THE PAWTUCKET HOUSING AUTHORITY FROM FIVE (5) TO SEVEN (7) COMMISSIONERS.

ROLL CALL AYES_____ NOES_____

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10. Communication from Joanna L'Heureux, Finance Director, to David P. Moran, President, Pawtucket City Council. (July 1, 2010 Actuarial Valuation Police and Fire Pension Plan)

11. RESOLUTION AUTHORIZING THE CITY'S FINANCE DIRECTOR TO CONTRIBUTE THE ACTUARY'S RECOMMENDED CONTRIBUTION OF \$11,391,000 INTO THE POLICE AND FIREFIGHTERS PENSION FUND IN FISCAL YEAR 2013.

ROLL CALL AYES_____ NOES_____

12. Communication from Joanna L'Heureux, Finance Director, to David Moran, President, Pawtucket City Council. (New Police and Firefighters Pension Plan Money Manager)

13. RESOLUTION APPROVING THE ENGAGEMENT OF THE LONDON COMPANY OF RICHMOND, VA AS THE NEW SMALL CAP EQUITY MANAGER WITH FUNDS FROM CONGRESS ASSET MANAGEMENT.

ROLL CALL AYES_____ NOES_____

14. Communication from Richard J. Goldstein, to the Honorable Members of the Pawtucket City Council. (No Longevity for New Classified and Unclassified Non-Union Employees Hired After September 20, 2007)

15. AN ORDINANCE FIXING THE SALARIES FOR CLASSIFIED NON-UNION POSITIONS AND REPEALING AND REPLACING CHAPTERS 2956 & 2979 IN THEIR ENTIRETY. January 1, 2012 - June 30, 2012, AS AMENDED.

FOR SECOND PASSAGE

ROLL CALL AYES_____ NOES_____

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16. AN ORDINANCE IN AMENDMENT OF THE ORDINANCES OF THE CITY OF PAWTUCKET, FIXING THE SALARIES FOR CLASSIFIED NON-UNION POSITIONS. (FIRE DISPATCHER)

FOR SECOND PASSAGE

ROLL CALL AYES_____ NOES_____

17. AN ORDINANCE IN AMENDMENT OF CHAPTER 363 OF THE CODE OF ORDINANCES OF THE CITY OF PAWTUCKET, 1996, ENTITLED “TAXATION” (Waiver of Tax Interest for Motor Vehicle and Tangible Taxes) SUBSTITUTE A

FOR FIRST PASSAGE

ROLL CALL AYES_____ NOES_____

18. THE FOLLOWING PETITIONS FOR LICENSES WERE LAID ON THE TABLE AT THE MEETING HELD FEBRUARY 22, 2012, AND ARE AGAIN TAKEN UP:

POOL TABLE New -

Dave Sabatini d/b/a Sabs Game Room, 502 Armistice Boulevard, (1) Weekdays and Sundays, LIC#7883

PINBALL & AMUSEMENT DEVICES New -

Dave Sabatini d/b/a Sabs Game Room, 502 Armistice Boulevard, (10) LIC#7884

19. *PETITIONS FOR LICENSES:

ENTERTAINMENT –

Petition of MVP Sports Pub and Restaurant LTD, 233 Newport Avenue, for license to have a live band on Saturday, March 10, 2012 from 9:00 p.m. until 12:00 a.m. and to conduct Karaoke on Saturdays, March 21 & 28, 2012 from 9:00 p.m. to 12:00 a.m., LIC#7923

Petition of RI Pride for a license to conduct a Fundraiser – Triple Crown Pageant, at 1005 Main Street, Unit 715, Hope Artiste Village, on

Sunday April 1, 2012, from 7:00 p.m. – 10:00 p.m. LIC#7922

Petition of Southeast New England Film, Music and Arts for a license to conduct a Festival – Opening Night Art Exhibit and Reception, at 175 Main Street, Blackstone Valley Visitor Center, on Wednesday, April 11, 2012, from 6:00 p.m. until 10:00 p.m. LIC#7918

Petition of Pawtucket Red Sox Baseball Club for a license to conduct a concert starring Further at McCoy Stadium on Thursday, July 5, 2012, from 3:00 p.m. until 11:00 p.m. LIC#7926

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PEDDLER LICENSES DOOR-TO-DOOR SOLICITATION New -

Chapter Two Ventures Inc., d/b/a Budget Blinds of East Providence, 6 Richard Street, Barrington, RI LIC#7912

TO PEDDLE: Sale and installation of window treatments, blinds, shades, drapes, etc.

DRIVER: Lowry, Richard, 109 Thurston Street, East Providence, RI LIC#7912

DRIVER: D'Ambra, Michael, 42 Vista Drive, Rumford, RI LIC#7916

LOCATION: All Streets in Pawtucket

VICTUALING HOUSE 1st Class Renewal –

**BJG Meat Corp. d/b/a Encuentro Del and Grocery, 710 Broadway,
LIC#5981**

VICTUALLING HOUSE 1st Class New-

**Cosme, Anilton d/b/a Cultura Restaurant, 200 Mineral Spring Avenue,
LIC#7911**

**The French Tarte LLC d/b/a The French Tarte, 1005 Main Street, Suite
#8226, LIC#7906**

VICTUALLING HOUSE 2nd Class New –

**Wego Inc., d/b/a Mark the Spot Nutrition, 1005 Main Street, Suite#
8224, LIC#7907**

HOLIDAY LICENSES Renewals -

AM Donuts, Incorporated d/b/a Dunkin Donuts, 205 Dexter St.

LIC#3197

Amerada Hess Corporation d/b/a Hess 39504, 250 Mineral Spring Ave.

LIC#3207

Armando & Sons Meat Market Inc. d/b/a Armando & Sons Meat Market, 265 Pine St., LIC #4834

Bach LLC d/b/a A & S Convenience & Deli, 248 West Ave. LIC#4861

Beauty Works Inc., d/b/a Beauty Works, 50 Ann Mary St. LIC#3249

Best Choice Gas and Convenience Store, Inc., d/b/a U Save Gas II, 72 Exchange Street, LIC#6661

BJG Meat Corp., d/b/a Encuentro Del and Grocery, 710 Broadway, LIC#5982

Blackstone Donuts Incorporated d/b/a Dunkin Donuts, 109 East St. LIC#4758

Blackstone Donuts Incorporated d/b/a Dunkin Donuts, 421 Broadway, LIC#4759

Building #19 Inc., d/b/a Building #19 1/9, 625 Narragansett Park Dr. LIC#4843

Byers, Richard d/b/a Dick's Sport & Hobby Shop, 460 Smithfield Ave. LIC#3219

Caprichos Antioquenos Bakery Inc., d/b/a Caprichos Antioquenos Bakery, 173 Lonsdale Ave. LIC#4761

Central Avenue Donuts Inc., d/b/a Dunkin Donuts, 1113 Central Ave. LIC#3214

Choudhry, Muhammad L d/b/a BK House of Cigars, 530 Broadway, Unit #4 LIC#5548

Corner Store Inc., d/b/a The Corner Store, 136 Spring St. LIC#5390

Cumberland Farms, Inc., d/b/a Cumberland Farms #1265, 193 Division St. LIC#4830

Darlington Market Inc., d/b/a Darlington Market, 614 Central Ave. LIC#3216

Ebl Inc., d/b/a Eblens Clothing & Footwear, 295 Armistice Blvd. LIC#3246

East Avenue CVS, Inc. d/b/a CVS Pharmacy #2234, 425 East Ave. LIC#3261

Family Dollar Stores of RI Inc., d/b/a Family Dollar #6933, 502 Broadway, LIC#3175

Family Dollar Stores of RI Inc., d/b/a Family Dollar #2095, 320 Dexter St. LIC#3275

Flor Di Brava Inc., d/b/a Pawtucket Fish Market, 593 Weeden St. LIC#5492

F & Z LLC d/b/a Gulf Express, 711 East Ave. LIC#5103

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Gold Stars Gift Store, Inc., d/b/a Gold Stars Gift Store, 484 Lonsdale Ave. LIC#5183

Gonzalo Hernandez LLC d/b/a Weeden Mini Market, 474 Weeden St. LIC#5988

Howell J. Smith Druggist Inc., d/b/a Howell J. Smith Druggist, 749 Central Ave. LIC#3191

Investment Donuts, Inc., d/b/a Dunkin Donuts, 727 East Ave. LIC#4741

Jose & Carmelo Main Street Market Inc., 919 Main St. LIC#3178

Kindo, Hamidou d/b/a Kara Wireless, 656 Broadway, LIC#7552

Lonsdale Donuts Inc., d/b/a Dunkin Donuts, 465 Lonsdale Ave. LIC#4823

Lorraine Fabrics Inc., d/b/a Lorraine Fabrics, 593 Mineral Spring Ave. LIC#3182

Marotta Food Corp., d/b/a Bravo Supermarket, 300 Barton St. LIC#7709

Marques Enterprises Inc., d/b/a Lil' General Store, 600 Main St. LIC#3189

Maxi Drug South, L.P. d/b/a Rite Aid #10229, 727 East Ave. LIC#3224

Maxi Drug South, L.P. d/b/a Rite Aid #10228, 150 Mineral Spring Ave. LIC#3222

Maxi Drug South, L.P. d/b/a Rite Aid #10227, 342 Power Rd. LIC#3223

McCoy Market Inc., d/b/a McCoy Market, 171 South Bend St. LIC#4864

Mineral Enterprises, Inc., d/b/a Dunkin Donuts, 750 Mineral Spring Ave. LIC#4826

Monro Muffler Brake Inc., d/b/a Speedy Auto Service By Monro, 1427 Newport Ave. LIC#5113

Moran Foods Inc., d/b/a Save-A-Lot Food Stores, #803, 477 Mineral Spring Ave. LIC#3266

Moran Foods Inc., d/b/a Save-A-Lot #813, 295 Armistice Blvd. LIC#5046

**Munschy, Kenneth C d/b/a Li'l General Store, 556 Central Ave.
LIC#3226**

**Newport Avenue Donuts Inc., d/b/a Dunkin Donuts, 105 Cedar St.
LIC#3229**

**Newport Division Donuts Inc., d/b/a Dunkin Donuts, 192 Division St.
LIC#4828**

**Newport Avenue Donuts Inc., d/b/a Dunkin Donuts #300297, 81
Newport Ave. LIC#4827**

Neves, Maria M. d/b/a LeSoleil, 547 Armistice Blvd. LIC#3209

**Pawtucket CVS, Inc. d/b/a CVS Pharmacy #1042, 835 Newport Ave.
LIC#3194**

**Pawtucket CVS, Inc. d/b/a CVS Pharmacy #670, 601 Smithfield Ave.
LIC#3195**

**Pina, Jack B d/b/a Ligafrica Music, 180 Mineral Spring Avenue,
LIC#3212**

Precision Harley Davidson Inc., 269 Armistice Blvd. LIC#4832

**Prospect Minimarket Inc., d/b/a Prospect Mini Market, 620 Prospect
St. LIC#3185**

**Providence Discount Store Inc., d/b/a 99 Cents Plus, 300 Barton St.
(Unit #1) LIC#3208**

**Rhode Island Farms Inc., d/b/a Rhode Island Farms, 147 Prospect St.
LIC#7714**

**Rose Bud Florist, Inc., d/b/a Rose Bud Florist, 386 Central Ave.
LIC#3236**

**Saad Food Mart Inc., d/b/a Saad Food Mart, 1414 Newport Ave.
LIC#4847**

Shivaji Corp., d/b/a Gold Mart, 1531 Newport Ave. LIC#7643

Silver Mart Inc., d/b/a Silver Mart, 170 Cottage St. LIC#3200

Simpson's Pharmacy Inc., d/b/a Simpson's Pharmacy, 10 Newport Ave. LIC#4778

Stop & Shop Supermarket Company LLC., d/b/a Super Stop & Shop, 380 Cottage St. LIC#3243

Supercuts Corporate Shops Inc. d/b/a Super Cuts #9976, 681 Beverage Hill Ave. LIC#3192

***U-Haul Company of Rhode Island Inc., d/b/a U-Haul Center of Pawtucket, 2 Lonsdale Ave. LIC#3265**

1. Repair of U-Haul Vehicles only.

2. No auto body work.

3. No spray painting.

4. All repair work shall be conducted inside garage area.

5. No used auto parts or junk shall be stored outside.

6. Shall adhere to current zoning regulations for landscaping of parking lots.

7. No auto repair work on Sundays.

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***U-Save Gas Inc., d/b/a Roukoz Investment, 469 Benefit St. LIC#3264**

STIPULATIONS PER ZONING DECISION 4/1/86

1. The hours of operation shall not be other than as stated in presentation 7 AM to 9 PM. Any violation shall be grounds for closing this operation.

2. No foods, paper, rubbish shall be allowed to be in land area. Dumpster collection facilities shall be both inside and on exterior of site and dumpsters on outside must be with covers.

3. Management shall take caution with employees and see that they do not allow radio and other noises to take place.

4. Landscape and shrubs shall be planted to be in harmony with area.

V & S Farm Inc. d/b/a Gulf Express, 694 Broadway, LIC#4859

Walgreen Eastern Co. Inc., d/b/a Walgreen's #03468, 100 Broad St. LIC#3239

Walgreen Eastern Co. Inc., d/b/a Walgreen's, #13987, 385 Cottage S6

20. *THE FOLLOWING CLAIMS FOR DAMAGES AGAINST THE CITY TO BE REFERRED TO THE COMMITTEE ON CLAIMS AND PENDING SUITS:

Terry Lewandowski, by Amica Insurance - \$9,773.44

Debra Wall - \$146.00

**21. THE COMMITTEE ON CLAIMS AND PENDING SUITS RETURNS
THE FOLLOWING CLAIMS FOR DAMAGES AGAINST THE CITY:**

Hilda Almeida by David Ursillo, Esq. – \$100,000.00

Marion Briere - \$954.00

Fernando Jiminez by Joseph Rameaka, Esq. - \$500,000.00

Jason Hawkins - \$399.70

**Samantha Conroy – Safety Insurance by O’Keefe & Gale Law Offices -
\$1,540.75**

**Sasha Perry and Cindy Johnson by Robert V. Russo, Esq. -
\$50,000.00**

Shauna Miranda by Progressive Insurance - \$2,562.77

**Margaret Sheehy by Massachusetts Homeland Insurance Company -
\$1,101.08**

Frutuoso Vaz - \$2,500.00 + \$360.00 Rental = \$2,860.00

ADJOURNED_____P.M.